

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ROBERT J. LUMPKIN,

Plaintiff,

v.

SERGEANT ARMSTRONG,

Defendant.

Case No. C09-1014-RAJ

**ORDER DENYING
PLAINTIFF'S DISPOSITIVE
MOTION**

The Court, having reviewed plaintiff's amended complaint, plaintiff's dispositive motion, the Report and Recommendation of the Honorable Brian A. Tsuchida, United States Magistrate Judge, and the remaining record, does hereby find and Order:

- (1) The Court adopts the Report and Recommendation.
- (2) Plaintiff's dispositive motion (Dkt. No. 25) is **DENIED**.
- (3) The Clerk is directed to send copies of this Order to plaintiff, to counsel for defendant, and to Judge Tsuchida.

DATED this 30th day of July, 2010.



The Honorable Richard A. Jones
United States District Judge